IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Danny A. GRANT *et al.*

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EXAMINER: Seokyun Moon

FOR: Methods and Systems for Providing a Virtual Touch Haptic Effect to Handheld Communication Devices

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Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
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APPEAL BRIEF

Dear Sir:

     This paper is filed pursuant to 37 CFR 41.37 in support of a Notice of Appeal filed

August 11, 2010.

TABLE OF CONTENTS

I. REAL PARTY IN INTEREST

Immersion Corporation.

II. RELATED APPEALS AND INTERFERENCES

None.

III. STATUS OF CLAIMS

Claims 1-16 and 19-30 have been finally rejected and are on appeal. Claims 17 and 18 have been canceled.

IV. STATUS OF AMENDMENTS

The After Final Amendment filed October 19, 2010 has not been entered.

All other amendments have been entered.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention relates to communication devices, which can include, among other things, a mobile phone, a pager, or a personal digital assistant (PDA) (¶[0004], ll. 1-3, of the instant Specification as published in U.S. Patent Application Publication No. 2006/0284849). A communication device receives virtual touches (¶[0045]). In response to different virtual touches, the communication device outputs a request to the user to contact particular user interface members. (¶[0043], ll. 9-11; ¶[0044], ll. 6-13). Upon receiving the contact, the communication device causes a particular virtual touch to be communicated as a tactile, or haptic, sensation (¶[0047], ll. 18-24).

Independent claim 1 is directed to a method that includes receiving, by a first communication device (100) at different times, a first input signal associated with a first virtual

touch (¶[0045]) and a second input signal associated with a second virtual touch (¶[0043], ll. 7-9; ¶[0045], ll. 1-6), the first communication device (100) including a first user-interface (112) member, a second user-interface (112) member, and an actuator (130) (FIG 1; ¶[0022], ll. 8-9), whereby the first and second virtual touches originate from a second communication device (100) operated by a user to communicate the first and second virtual touches to the first communication device (100) (¶[0046], ll. 3-5); outputting, at the first communication device (100), a request to initiate a contact with the first user-interface (112) member when the first virtual touch is received and a second request to initiate a contact with the second user-interface (112) member when the second virtual touch is received (¶[0043], ll. 9-11; ¶[0044], ll. 6-13); receiving the contact (¶[0043], ll. 11-16); and providing a control signal to the actuator (130) in response to the contact, the control signal configured to cause the actuator (130) to output a first haptic effect associated with the first virtual touch when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received (¶[0043], ll. 11-16).

Independent claim 5 is directed to a method for generating a virtual touch (¶[0045]) at a first communication device (100) that includes a plurality of user-interface (112) members (FIG 1; ¶[0022], ll. 8-9), where the method includes receiving a virtual touch indicator (¶[0045], ll. 6-9) and a virtual touch signal (¶[0045], ll. 14-17) at the first communication device (100), wherein the virtual touch indicator indicates a particular one of the plurality of user-interface (112) members to be contacted by an operator of the first communication device (100) to receive the virtual touch (¶[0045], ll. 6-9), whereby the virtual touch signal originates from a second communication device (100) operated by a user to communicate the virtual touch to the first communication device (¶[0046], ll. 3-5); performing an initialization responsive to the virtual

touch indicator on the first communication device (100) (¶[0047], ll. 13-18); and outputting a control signal associated with the virtual touch signal to an actuator (130) coupled to the first communication device (100) after performing the initialization (Fig. 1; ¶[0047], ll. 18-24).

Independent claim 10 is directed to a computer readable medium containing executable instructions which cause a data processing system to perform a method, where the method includes receiving, by a first communication device (100) at different times, a first input signal associated with a first virtual touch (¶[0045]) and a second input signal associated with a second virtual touch (Fig. 1; ¶[0043], ll. 7-9; ¶[0045], ll. 1-6 of the instant Specification as published in U.S. Patent Application Publication No. 2006/0284849), the first communication device (100) including a first user-interface (112) member, a second user-interface (112) member, and an actuator (130) (FIG 1; ¶[0022], ll. 8-9), whereby the first and second virtual touches originate from a second communication device (100) operated by a user to communicate the first and second virtual touches to the first communication device (100) (¶[0046], ll. 3-5); outputting, at the first communication device (100), a request to initiate a contact with the first user-interface (112) member when the first virtual touch is received and a second request to initiate a contact with the second user-interface (112) member when the second virtual touch is received (¶[0043], ll. 9-11; ¶[0044], ll. 6-13); receiving the contact (¶[0043], ll. 11-16); and providing a control signal to the actuator (130) in response to the contact, the control signal configured to cause the actuator (130) to output a first haptic effect associated with the first virtual touch when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received (¶[0043], ll. 11-16).

Independent claim 13 is directed a computer readable medium containing executable instructions which cause a data processing system to perform a method (¶[0052], ll. 9-12), where

4480982.1

the method includes receiving a virtual touch indicator (¶[0045], ll. 6-9) and a virtual touch signal (¶[0045], ll. 14-17) at a first communication device (100), wherein the first communication device (100) includes a plurality of user-interface (112) members, and wherein the virtual touch indicator indicates a particular one of the plurality of user-interface (112) members to be contacted by an operator of the first communication device (100) to receive the virtual touch (¶[0045], ll. 6-9), whereby the virtual touch signal originates from a second communication device (100) operated by a user to communicate the virtual touch to the first communication device (100) (¶[0046], ll. 3-5); performing an initialization responsive to the virtual touch indicator on the first communication device (100) (¶[0047], ll. 13-18); and outputting a control signal associated with the virtual touch signal to an actuator (130) after performing the initialization (Fig. 1; ¶[0047], ll. 18-24).

Independent claim 19 is directed to an apparatus (100) that includes a first user-interface (112) member coupled to a body and a second user-interface (112) member coupled to the body; a processor (120); an actuator (130) coupled to the body and in communication with the processor (120); and a memory (140) in communication with the processor (130), the memory (140) storing instructions configuring the processor to (FIG. 1; ¶[0021], ll. 1-9, ¶[0022], ll. 8-9): receive, at different times, a first input signal associated with a first virtual touch and a second input signal associated with a second virtual touch at the apparatus (100) (¶[0043], ll. 7-9; ¶[0045], ll. 1-6), whereby the first and second virtual touches originate from a second apparatus (100) operated by a user to communicate the first and second virtual touches to the apparatus (100) (¶[0046], ll. 3-5); output a request to initiate a contact with the first user-interface (112) member when the first virtual touch is received and a second request to initiate a contact with the second user-interface (112) member when the second virtual touch is received (¶[0043], ll. 9-11);

¶[0044], ll. 6-13); receive an indication that the contact was made (¶[0043], ll. 11-16); and provide a control signal to the actuator (130) in response to the contact, the control signal configured to cause the actuator (130) to output a first haptic effect when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received (¶[0043], ll. 11-16).

Independent claim 24 is directed to an apparatus (100) that includes a plurality of user-interface (112) members; a processor (120); an actuator (130) coupled to at least one of the plurality of user-interface (112) members and in communication with the processor (120); and a memory (140) in communication with the processor (120), the memory storing instructions configuring the processor to (FIG. 1; ¶[0021], ll. 1-9, ¶[0022], ll. 8-9): receive a virtual touch indicator (¶[0045], ll. 6-9) and a virtual touch signal (¶[0045], ll. 14-17), wherein the virtual touch indicator (¶[0045], ll. 6-9) indicates a particular one of the plurality of user-interface (112) members to be contacted by an operator of the first communication device (100) to receive the virtual touch, whereby the virtual touch signal originates from a second apparatus (100) operated by a user to communicate the virtual touch to the apparatus (¶[0045], ll. 6-9); perform an initialization responsive to the virtual touch indicator (¶[0047], ll. 13-18); and output a control signal associated with the virtual touch signal to the actuator (130) after performing the initialization (¶[0047], ll. 18-24).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 10-16 and 30 recite patentable subject matter under 35 U.S.C. §101.

B. Whether claims 1-4, 10-12, and 19-23 are patentable under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2002/0177471 by Kaaresoja *et al.* (hereinafter, "Kaaresoja") in view of Official Notice taken by the Examiner and further in view of U.S. Patent No. 6,901,273 to Lutnaes (hereinafter, "Lutnaes").

C. Whether claims 5-9, 13-16, and 24-30 are patentable under 35 U.S.C. § 103(a) over Kaaresoja in view of Official Notice taken by the Examiner regarding alleged common knowledge.

VII. ARGUMENT

A. Rejection of claims 10-16 and 30 under U.S.C. § 101

Claims 10-16 and 30 recite a "tangible computer readable storage medium." In the Final Action mailed March 11, 2010 (hereinafter "Final Action"), the Examiner suggests amending the claims per the United States Patent and Trademark Office guidelines on Subject Matter Eligibility of Computer Readable Media, dated January 26, 2010. Notwithstanding that a tangible computer readable storage medium as claimed excludes transitory signals, Appellants have submitted an after-final amendment dated October 19, 2010, to comply with the Examiner's suggestion and remove an issue from appeal.

4480982.1

B. Rejection of claims 1-4, 10-12, and 19-23 under 35 U.S.C. § 103(a)

Claim 1 recites, *inter alia*, "outputting, at the first communication device, a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received." Claim 10 recites, *inter alia*, "outputting, at the first communication device, a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received." Claim 19 recites, *inter alia*, a memory storing instructions configuring a processor to "output a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received."

In other words, the claims recite requests to initiate a contact with different user-interface members ("first and second user-interface members") when different virtual touches ("first and second virtual touches") are received. In the Final Action, the Examiner alleges that Kaaresoja, alleged common knowledge entered by Official Notice, and Lutnaes taken together render this feature obvious. *Final Action* at 9-12.

The rejection of claims 1, 10, and 19 is improper for at least the reason that Kaaresoja, alleged common knowledge and Lutnaes, alone or in combination with one another, fail to teach or suggest outputting requests to initiate a contact with different user interface members when different virtual touches are received.

Kaaresoja generally relates to communicating "tactile icons" (e.g., vibration patterns) between mobile devices. *Kaaresoja*, Abstract, ll. 1-7. Kaaresoja describes an ability to communicate the tactile icons as attachments to text messages. *Kaaresoja* at ¶ 0024, ll. 9-15.

The Examiner takes Official Notice that it is common knowledge that mobile phones output a request to initiate a contact with a user-interface member to open a text message. *Final Action* at 10. Lutnaes generally relates to being able to turn off a portable phone using a touch screen. *Lutnaes*, Abstract, ll. 1-3. Lutnaes also describes that the portable phone can include different user interface members such as a key 9 and a touch screen 20. *Lutnaes*, Fig. 1. However, none of the foregoing teaches or suggests outputting requests to initiate a contact with different user interface members when different virtual touches are received.

In the Final Action, the Examiner acknowledges that Kaaresoja does not teach or suggest at least this feature of the claims. *Final Action* at 10, ll. 5-8. Instead, the Examiner invokes Official Notice, alleging that common knowledge cures this deficiency of Kaaresoja. *Final Action* at 10, ll. 9-13. In particular, the Examiner alleges that it is "common in the art that the display of a mobile phone outputs a request to initiate a contact with an user-interface member...to open a text message." *Final Action* at 10, ll. 9-13.

However, even if this is true, it is not common knowledge to request a contact with ***different user-interface members to open different text messages***. For example, when a text message is received using conventional devices, a device may prompt a user to press a button such as a "select" or "ok" button, which causes the text message to be opened. However, conventional devices prompt the user to press the same predefined button to open different text messages. There is no teaching or suggestion to prompt the user to press different buttons to open different text messages. Thus, Kaaresoja combined with alleged common knowledge still fails to teach or suggest outputting a request to contact different user-interface members to receive different virtual touches.

The Examiner apparently acknowledges this as well, but nonetheless concludes that "it would have been obvious to modify the method of Kaaresoja to output first and second requests to initiate contacts with the user-interface member when the first communication device receives a first and second new text message from the second communication device, in order to inform the user...that the new text messages are arrived [*sic*]." *Final Action* at 10, ll. 14-18. Here, the Examiner alleges that different requests to initiate contacts with the same predefined button would be obvious. But the Examiner still fails to articulate that Kaaresoja and alleged common knowledge teach or suggest requesting contacts to different buttons for different text messages.

In the next page of the Final Action, the Examiner attempts to cure this deficiency of Kaaresoja and alleged common knowledge by concluding that Lutnaes teaches the "concept of including two user-interface members [of Lutnaes]...in a communication device, to operate the communication device." The Examiner apparently alleges that merely having different user interface members to control a communication device (as taught by Lutnaes) teaches or suggests outputting a request to contact different user interface members to receive different text messages (and therefore different virtual touches). However, it is wholly unclear how merely teaching the use of two user interface members to operate a phone renders obvious requests to initiate a contact with different user-interface members when different virtual touches are received.

Such a broad characterization of the alleged teaching of Lutnaes does not provide a reasoned articulation justifying a conclusion of obviousness. As such, the Examiner has failed to articulate a teaching or suggestion to output a request to contact different user interface members to receive different virtual touches. Absent a reasoned articulation of how the combination of Kaaresoja, alleged common knowledge, and Lutnaes render the claims obvious, the Examiner

has engaged in improper hindsight using Appellants' disclosure as a roadmap to arrive at the features recited by the claims.

For at least these reasons, Kaaresoja, alleged common knowledge, and Lutnaes, either alone or combined with one another, fail to teach or suggest all the features of the claimed invention. Accordingly, the rejection is improper and should be reversed.

C. Rejection of claims 5-9, 13-16, and 24-30 U.S.C. § 103(a)

Claim 5 recites, *inter alia*, "receiving a virtual touch indicator and a virtual touch signal at the first communication device, wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch." Claim 13 recites, *inter alia*, "receiving a virtual touch indicator and a virtual touch signal at a first communication device, wherein the first communication device includes a plurality of user-interface members, and wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch." Claim 24 recites, *inter alia*, a memory storing instructions configuring a processor to "receive a virtual touch indicator and a virtual touch signal, wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch."

In other words, the claims recite receiving a virtual touch indicator that indicates a particular user interface member to be contacted to receive a virtual touch. Accordingly, different virtual touch indicators may indicate different user interface members to be contacted to receive a given virtual touch.

In the Final Action, the Examiner alleges that Kaaresoja and alleged common knowledge entered by Official Notice taken together render this feature obvious. *Final Action* at 4-5. However, the rejection of claims 5, 13, and 24 is improper for at least the reason that Kaaresoja and alleged common knowledge, alone or in combination with one another, fail to teach or suggest a virtual touch indicator that indicates a particular user interface member to be contacted to receive a virtual touch.

In the Final Action, the Examiner acknowledges that Kaaresoja does not "expressly teach" this feature. *Final Action* at 4. Instead, the Examiner invokes Official Notice that "it is common in the art that the display of a mobile phone displays/shows an icon or a message when a new text message is [*sic*] arrived at the phone, wherein the received text message indicates a particular one of the user-interface members." *Final Action* at 4, ll. 11-13.

The Examiner's Official Notice that a received text messages indicates a particular one of the user-interface members to be contacted is factual error and therefore not capable of instant and unquestionable demonstration. Official notice "unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of *instant and unquestionable demonstration* as being well-known." *Manual of Patent Examining Procedure*, 2144.03(A) (emphasis added).

In the Final Action, the Examiner has failed to support the Official Notice with documentary evidence. Furthermore, contrary to the Examiner's allegation, it is not common knowledge that a text message indicates a particular user interface member to be contacted. Rather, a text message is generally known as a short message. A device that receives the text message may include its own interfaces and mechanism in which to display a text message. For example, one device may include a dedicated "select" button to open a text message while

another device may include a different button such as a dedicated "ok" button to open the text message. Accordingly, the Examiner commits clear error by alleging, without documentary support, that a received text messages indicates a particular one of the user-interface members to be contacted.

Therefore, for at least these reasons, neither Kaaresoja nor common knowledge suggests a text message that indicates a particular user interface member to contact in order to receive the text message. For at least these reasons, Kaaresoja, either alone or combined with alleged common knowledge, fails to teach or suggest all the features of the claimed invention. Accordingly, the rejection is improper and should be reversed.

Conclusion

For the foregoing reasons, it is respectfully requested that the final rejection of claims 1-16 and 19-30 be reversed. The Commissioner is hereby authorized to charge any fees that may be required for the timely consideration of this Appeal Brief to Deposit Account No. 09-0528.

Date: **October 29, 2010**   Respectfully submitted,

By: _____

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VIII. CLAIMS APPENDIX

1.   A method, comprising:

receiving, by a first communication device at different times, a first input signal associated with a first virtual touch and a second input signal associated with a second virtual touch, the first communication device including a first user-interface member, a second user-interface member, and an actuator, whereby the first and second virtual touches originate from a second communication device operated by a user to communicate the first and second virtual touches to the first communication device;

outputting, at the first communication device, a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received;

receiving the contact; and

providing a control signal to the actuator in response to the contact, the control signal configured to cause the actuator to output a first haptic effect associated with the first virtual touch when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received.

2.   The method of claim 1 further comprising extracting a haptic code from the first input signal, the control signal being based at least in part on the haptic code.

3.   The method of claim 1 wherein the first user-interface member includes one of a key, a button, a key pad, a direction pad, a touch screen, a scroll wheel, a mini-joystick, a trackball, and a knob.

4480982.1

4.   The method of claim 1 wherein the first virtual touch is associated with one of a handshake, a high-five, a pat on the back, a pulse sensation, a heartbeat sensation, and a pet purring sensation.

5.   A method for generating a virtual touch at a first communication device that includes a plurality of user-interface members, the method comprising:

receiving a virtual touch indicator and a virtual touch signal at the first communication device, wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch, whereby the virtual touch signal originates from a second communication device operated by a user to communicate the virtual touch to the first communication device;

performing an initialization responsive to the virtual touch indicator on the first communication device; and

outputting a control signal associated with the virtual touch signal to an actuator coupled to the first communication device after performing the initialization.

6.   The method of claim 5, wherein the actuator is configured to output a haptic effect to the particular one of the plurality of user-interface members when the virtual touch indicator and the virtual touch signal is received.

7.   The method of claim 6 wherein the plurality of user-interface members includes one of a key, a button, a key pad, a direction pad, a touch screen, a scroll wheel, a mini-joystick, a trackball, and a knob.

8.   The method of claim 5 wherein the initialization includes outputting a request to initiate a contact with the particular one of the plurality of user-interface members.

9.   The method of claim 5 wherein the virtual touch signal is associated with a manipulation of a remote user-interface member.

10.   A tangible computer-readable storage medium containing executable instructions which cause a data processing system to perform a method, the method comprising:

receiving, by a first communication device at different times, a first input signal associated with a first virtual and a second input signal associated with a second virtual touch, the first communication device including a first user-interface member, a second user-interface member, and an actuator, whereby the first and second virtual touches originate from a second communication device operated by a user to communicate the first and second virtual touches to the first communication device;

outputting, at the first communication device, a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received;

receiving the contact; and

providing a control signal in response to the contact, the control signal configured to cause the actuator to output a first haptic effect associated with the first virtual touch when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received.

11. The tangible computer-readable storage medium of claim 10 further comprising extracting a haptic code from the first input signal, the control signal being based at least in part on the haptic code.

12. The tangible computer-readable storage medium of claim 10 wherein the first virtual touch is associated with one of a handshake, a high-five, a pat on the back, a pulse sensation, a heartbeat sensation, and a pet purring sensation.

13. A tangible computer-readable storage medium containing executable instructions which cause a data processing system to perform a method, the method comprising:

receiving a virtual touch indicator and a virtual touch signal at a first communication device, wherein the first communication device includes a plurality of user-interface members, and wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch, whereby the virtual touch signal originates from a second communication device operated by a user to communicate the virtual touch to the first communication device;

performing an initialization responsive to the virtual touch indicator on the first communication device; and

4480982.1

outputting a control signal associated with the virtual touch signal to an actuator after performing the initialization.

14.   The tangible computer-readable storage medium of claim 13 wherein the actuator is configured to output a haptic effect when a contact with the particular one of the plurality of user-interface members is received.

15.   The tangible computer-readable storage medium of claim 14 wherein the particular one of the plurality of user-interface members includes one of a key, a button, a key pad, a direction pad, a touch screen, a scroll wheel, a mini-joystick, a trackball, and a knob.

16.   The tangible computer-readable storage medium of claim 13 wherein the initialization includes outputting a request to initiate a contact with the particular one of the plurality of user-interface members.

19.   An apparatus, comprising:

a first user-interface member coupled to a body and a second user-interface member coupled to the body;

a processor;

an actuator coupled to the body and in communication with the processor; and

a memory in communication with the processor, the memory storing instructions configuring the processor to:

receive, at different times, a first input signal associated with a first virtual touch and a second input signal associated with a second virtual touch at the apparatus, whereby the first and second virtual touches originate from a second apparatus operated by a user to communicate the first and second virtual touches to the apparatus;

output a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received;

receive an indication that the contact was made; and

provide a control signal to the actuator in response to the contact, the control signal configured to cause the actuator to output a first haptic effect when the first virtual touch is received and a second haptic effect associated with the second virtual touch when the second virtual touch is received.

20.   The apparatus of claim 19 wherein the body is included in a handheld communication device.

21.   The apparatus of claim 20 wherein the handheld communication device includes one of a cellular phone, a satellite phone, a cordless phone, a personal digital assistant, a pager, a two-way radio, a portable computer, a game console controller, a personal gaming device, and an MP3 player.

22.   The apparatus of claim 20 wherein the first user-interface member includes at least one of a key, a button, a key pad, a direction pad, a touch screen, a scroll wheel, a mini-joystick, a trackball, and a knob.

23.   The apparatus of claim 19 wherein the first virtual touch is associated with one of a handshake, a high-five, a pat on the back, a pulse sensation, a heartbeat sensation, and a pet purring sensation.

24.   An apparatus, comprising:

a plurality of user-interface members;

a processor;

an actuator coupled to at least one of the plurality of user-interface members and in communication with the processor; and

a memory in communication with the processor, the memory storing instructions configuring the processor to:

receive a virtual touch indicator and a virtual touch signal, wherein the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch, whereby the virtual touch signal originates from a second apparatus operated by a user to communicate the virtual touch to the apparatus;

perform an initialization responsive to the virtual touch indicator; and

output a control signal associated with the virtual touch signal to the actuator after performing the initialization.

25.   The apparatus of claim 24 wherein the plurality of user-interface members are coupled to a handheld communication device.

26.   The apparatus of claim 25 wherein the handheld communication device includes one of a cellular phone, a satellite phone, a cordless phone, a personal digital assistant, a pager, a two-way radio, a portable computer, a game console controller, a personal gaming device, and an MP3 player.

27.   The apparatus of claim 24 wherein the plurality of user-interface members includes at least one of a key, a button, a key pad, a direction pad, a touch screen, a scroll wheel, a mini-joystick, a trackball, and a knob.

28.   The apparatus of claim 24 wherein the virtual touch signal is associated with a manipulation of a remote user-interface member.

29.   The method of claim 5 wherein the virtual touch indicator is one or more of a haptic code or a message.

30.   The tangible computer-readable storage medium of claim 13 wherein the virtual touch indicator is one or more of a haptic code or a message.

IX. EVIDENCE APPENDIX

None.

X.   RELATED PROCEEDINGS APPENDIX

None.